

PTO/SB/01A(10-01)
Approved for use through 10/31/2002. OMB 0651-0032**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	Methods for Enriching Populations of Nucleic Acid Samples
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As the below named inventor(s), we declare that:

This declaration is directed to:

The attached application, or

Application No. 10/635,175, filed on August 6, 2003,

as amended on _____ (if applicable)

We believe that we are the original and first inventors of the subject matter which is claimed and for which a patent is sought;

We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of our knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: Nila PatilSignature: Nila Patil Citizen of: USInventor two: David R. CoxSignature: David R. Cox Citizen of: USInventor three: Charit PethiyagodaSignature: Charit Pethiyagoda Citizen of: Sri LankaInventor four: Andrew SparksSignature: Andrew Sparks Citizen of: USAdditional inventors are being named on One (1) additional form(s) attached hereto.

FULL NAME OF INVENTOR(S)

Inventor five: Huang-Tsu Chen

Signature:  Citizen of: Taiwan, Republic of China

Attorney Docket No. 200/1004-40

ASSIGNMENT FOR APPLICATION FOR PATENT

WHEREAS:

Names and Addresses of Inventors:

1)	Nila Patil 780 West California Way Woodside, CA 94062	2)	David R. Cox 2743 Hallmark Drive Belmont, CA 94002
3)	Charit Pethiyagoda 1231 Vicente Dr., Apt. 50 Sunnyvale, CA 94086	4)	Andrew Sparks 12471 Woodside Drive Saratoga, CA 94070
5)	Huang-Tsu Chen 19790 Auburn Drive Cupertino, CA 95014		

(hereinafter referred to as Assignors), have invented a certain invention entitled:

Methods for Enriching Populations of Nucleic Acid Samples

enclosed herewith; and

WHEREAS, Perlegen Sciences, Inc., a corporation of the State of Delaware, having a place of business at 2021 Stierlin Court, Mountain View, California 94043 (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said application (hereinafter referred to as Application), and the inventions disclosed therein (hereinafter referred to as Invention), and in and to all embodiments of the Invention, heretofore conceived, made or discovered by said Assignors, and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter referred to as Patents) thereon granted in any and all countries and groups of countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Assignors to have been received in full from said Assignee:

1. Said Assignors hereby sell, assign, transfer and convey to Assignee the full and exclusive right, title and interest (a) in and to said Application and said Invention; (b) in and to all rights to apply for patents on said Invention in any and all countries pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all Applications filed and any and all Patents granted on said Invention in any and all countries and groups of countries, including each and every Application filed and each and every Patent granted on any application which is a division, substitution, or continuation in whole or in part of said Application; and (d) in and to each and every reissue or extension of any of said Patents.

2. Said Assignors hereby covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest to said Invention herein conveyed in any and all countries and groups of countries. Such cooperation by said Assignors shall include prompt production of pertinent facts and documents, giving testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said Invention; (d) for filing and prosecuting applications for reissuance of any of said Patents; (e) for interference or other priority proceedings involving said Invention; and (f) for legal proceedings involving said Invention and any application therefor and any Patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use

proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Assignors in providing such cooperation shall be paid for by said Assignee.

3. The term and covenants of this agreement shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Assignors, their respective heirs, legal representatives and assigns.

4. Said Assignors hereby warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Assignors have executed and delivered this instrument to said Assignee on the dates indicated below.

Dated: _____	_____	Nila Patil
Dated: <u>12/18/03</u>	_____	David Cox
Dated: <u>12/23/03</u>	_____	Chant Pethiyagoda
Dated: <u>12/18/03</u>	_____	Andrew Sparks
Dated: <u>2/10/05</u>	_____	Huang-Tsu Chen